



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
P.O. Box 8044
Madison, Wisconsin 53708-8044
TTY: Contact Through Relay
Jim Doyle, Governor
Richard J. Leinenkugel, Secretary

Wisconsin Department of Commerce, Bureau of PECFA Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 61
Commerce #: 53813-1630-05-A
BRRTS #: 03-22-202848
Site Name: Bailey Oil Office
Site Address: 205 W Cherry Street, Lancaster, 53813
Site Manager: Linda Hanefeld
Address: 3911 Fish Hatchery Rd
City, State Zip: Fitchburg, WI 53711-5367
Phone: 608-275-3310
e-mail: Linda.Hanefeld@Wisconsin.gov
Bid Manager: Andrew Alles
Address: P.O. Box 8044
City, State Zip: Madison, Wisconsin 53708-8044
Phone: (608) 261-8509
e-mail: Andy.Alles@Wisconsin.gov

Bid-Start Date:	June 22, 2009
Questions must be received by (See Section 2 (B)):	July 6, 2009, 4:00 PM
Responses will be posted by (See Section 2 (B)):	July 24, 2009
Bid-End Date and Time:	August 7, 2009, 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Xer-Lith Printing, 131 W. Wilson St., Madison, WI 53703
Phone: (608) 257-8900 Fax: (608) 257-8900
(Telephone copy shop to switch phone to Fax)

SECTION 2 – Site-Specific Bid Requirements

General Comments

In 1981, four (4) USTs (1000 gallon each) were removed from this site. It is not clear from the file whether the piping runs have been removed or remain buried on-site; pumps have been removed. No assessment was done at the time of tank removal. Soil contamination was discovered as a result of a 1998 site assessment. Soil and groundwater contamination have been documented in what may be three separate areas: the southern tank bed/pump island, the former tank bed located on northern portion of the property and the south side of the northern pump island. These may or may not be discrete areas of contamination. This bid is intended to better define soil contamination to determine whether there are three discrete areas of concern or whether contamination is “commingled” between these locations.

Soils at the site generally consist of about 1 foot of fill underlain by 12 -23 feet of clay or silty clay over sandstone or limestone bedrock (the file references both). Depth to groundwater is approximately 40 feet below ground surface in rock. Flow appears to be to the southeast [based upon information for the neighboring, closed IOCO Speede Shoppe - Cherry Street site (BRRTS Number 03-22-193937)]. There are 4 groundwater monitoring wells associated with the investigation.

Minimum Remedial Requirements

Soils: Install an additional five (5) soil borings to a maximum depth of 27 feet below ground surface (bgs) (actual depths may be less). Soils shall be field-screened the entire depth of each boring. Two samples from each boring will be collected for analyses. These samples will be:

1. the sample having the highest field screening value and
2. from the soil/bedrock interface.

If these samples are one-in-the-same, the second sample will be collected from a depth at which significant contamination is first detected using a PID. Soil samples will be analyzed for the presence of petroleum volatile organic compounds (PVOCs) plus Naphthalene. Approximate boring locations are provided in the site file information available from Xerlith (the copy shop). All soil wastes shall be properly handled, stored, and disposed. Soil sampling costs shall include all associated waste disposal costs.

Groundwater: Monitoring wells and their locations shall be surveyed in accordance with s.NR141.065(2), Wis. Adm. Code, since a survey of well location and groundwater depth has not occurred in approximately five years.

Complete two (2) rounds of quarterly groundwater monitoring of the four (4) wells associated with the site investigation. Groundwater samples should be analyzed for the presence of PVOCs plus naphthalene. Water table elevations shall be measured, as well as any free product that might be present for both quarterly groundwater monitoring rounds. Free product has not historically been present at this site. If free product is discovered, the DNR project manager will be contacted upon discovery. The free product should be measured and removed prior to collecting any groundwater sample. All groundwater and free product wastes shall be properly handled, stored, and disposed. Groundwater sampling costs shall include all associated waste disposal costs.

Well	Frequency	Parameters
MW-1, MW-2, MW-3, and MW-4	Quarterly (2 samples/well)	PVOCs and Naphthalene

Any waste generated as a result of this scope of work must be disposed of appropriately. Waste disposal costs must be included in the bid response.

Documentation

Compile a brief written report summarizing the results of both soil and groundwater sampling, including updating historic summary tables and maps (including at least one groundwater flow map for each of the two sampling rounds), groundwater elevations in tabular form (cumulative with historic data), and lab reports in accordance with s. NR716.15(2)(h), Wis. Adm. Code.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE – BID ROUND 60

(1st Page)

Department of Commerce PECFA Program

Site Name: Bailey Oil Office

Commerce #: 53813-1630-05-A

BRRTS #: 03-22-202848

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2760 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

BID RESPONSE – BID ROUND 60**(2nd Page)**

Department of Commerce PECFA Program

Site Name: Bailey Oil Office**Commerce #: 53813-1630-05-A****BRRTS #: 03-22-202848****Consulting Firm Name:** _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Installation of five soil borings (assume approximately twenty-seven feet below ground surface (bgs))	\$	
2	Soil sampling with laboratory analysis for PVOC's and Napthalene (includes collection and analysis)	\$	
3	Groundwater Monitoring for MW-1, MW-2, MW-3, and MW-4 (includes analytical cost) for both quarterly rounds.	\$	
4	Report preparation and submittal per Comm 47.70 (Web Reports) per paragraph 4 of the bid document.	\$	
5	Waste Disposal for all waste generated on site	\$	
6	Report Preparation and Submittal	\$	
7	PECFA Claim Preparation	\$	
8	Total Bid Amount	\$	